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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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8 HYPERTHERM, INC.,

9 Plaintiff,

10 vs.

11 PROFILE CUTTING TECHNOLOGIES LTD., *et*  
12 *al.*,

13 Defendants.

2:12-cv-01952-GMN-VCF

**REPORT AND RECOMMENDATION FOR**  
**AWARD OF ATTORNEY FEES**

14 Before the court is plaintiff's Motion for Order Granting Specific Amount of Attorneys' Fees  
15 and Costs (#25). On January 13, 2014, a Default Judgment (#23) was entered against defendants  
16 WestingCut Industrial Technology (Anhui) Inc., WestingCut Electric (Shanghai) Inc., and WestingCut  
17 Industrial Technology (Shanghai) Inc. This judgment contained a permanent injunction and an award of  
18 reasonable attorneys' fees, subject to plaintiff's timely compliance with Fed. R. Civ. P. 54(d) and LR  
19 54-16.

20 This motion has been referred to the undersigned Magistrate Judge in accordance with Fed. R.  
21 Civ. P. 54(d)(2)(D).

22 The subject motion complies with the applicable rules. Plaintiff does not seek an award of non-  
23 taxable costs and does not seek compensation for fees incurred with local counsel. The Declaration of  
24 Joseph A. Capraro, filed under seal with leave of the court, provides the required factual basis for the  
25 award of attorneys' fees requested.

1 No opposition to this request has been timely filed. The motion should be granted, pursuant to  
2 LR 54-16(e). Additionally, based on the facts established by the Declaration of Joseph A. Capraro, the  
3 court finds that the requested amount of \$38,821.76 is reasonable, given: the work performed,  
4 specialized subject matter of the litigation, the moderate difficulty of the case, the results obtained, the  
5 skill required and the customary fee charged for the work performed.

6 Accordingly,

7 IT IS HEREBY RECOMMENDED that plaintiff's Motion for Order Granting Specific Amount  
8 of Attorneys' Fees and Costs (#25) be granted; plaintiff be awarded Thirty-eight Thousand Eight  
9 Hundred Twenty-one Dollars and 76 Cents (\$38,821.76) against defendants WestingCut Industrial  
10 Technology (Anhui) Inc., WestingCut Electric (Shanghai) Inc., and WestingCut Industrial Technology  
11 (Shanghai) Inc., jointly and severally; and that the Default Judgment (#23) be amended to include this  
12 attorneys fee award with post-judgment interest accruing from the date of entry.  
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14 Dated this 24th day of February, 2014.

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17 CAM FERENBACH  
18 UNITED STATES MAGISTRATE JUDGE  
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